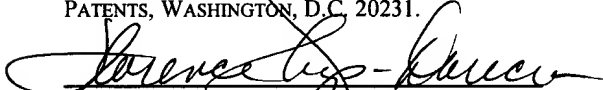


Patent 5,761,834

Docket No. 480032-307(100-178 CIP)
REISSUE PATENT

I HEREBY CERTIFY THAT THIS CORRESPONDENCE AND IDENTIFIED ENCLOSURES ARE BEING DEPOSITED JUNE 9, 2000 WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE, No. EL502381433, UNDER 37 CFR § 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.


Florence Thys-Donget

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reissue application of

Tracy E. Grim et al.

Patent No.: 5,761,834

Issued: June 9, 1998

Filed: January 6, 1995

Title: FOOTGEAR WITH PRESSURE
RELIEF ZONES

Group Art Unit: 3208

Examiner: M. Patterson

REISSUE APPLICATION DECLARATION BY ASSIGNEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, hereby declare that:

1. I am Kent Webster of Royce Medical Company and I am executing this Declaration By Assignee as part of my duties as Chief Financial Officer. I am a citizen of the United States of America having a principle place of business at 742 Pancho Road, Camarillo, California 93021

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The entire title of the patent identified below is vested in said assignee.

Name of Patentees: Tracy E. Grim, Kevin Richard O'Donnell, Eric Gerard Montag

Patent No. 5,761,834

Date of Patent Issue: June 9, 1998

Title of the Invention: FOOTGEAR WITH PRESSURE RELIEF ZONES

I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled: FOOTGEAR WITH PRESSURE RELIEF ZONES the specification of which is attached hereto.

I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid for the reasons described below:

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

At least one error upon which reissue is based is described as follows:

The patent claims less than the patentee had the right to claim. For instance, a pad for footgear having removable members with variable density is within the scope of the invention.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact business in the Patent and Trademark Office connected therewith:

W. Poms, Reg. 18,782
G. P. Smith, Reg. 20,142
H. D. Jastram, Reg. 19,777
C. A. S. Hamrick, Reg. 22,586
A. C. Rose, Reg. 17,047
L. J. Bovasso, Reg. 24,075
D. J. Oldenkamp, Reg. 29,421
C. Darrow, Reg. 30,166

M. D. Harris, Reg. 26,690
K. A. MacLean, Reg. 31,118
M. E. Brown, Reg. 28,590
C. Rosenberg, Reg. 31,464
A. P. Block, Reg. 35,450
S. R. Hansen, Reg. 38,486
D. N. Larson, Reg. 29,401
J. W. Inskeep, Reg. 33,910
R. O. Guillot, Reg. 28,852

Please direct all communications relative to this reissue application to:

00592452 - 060900

Patent No. 5,761,834

Docket No. 480032-307
Formerly (100-178 CIP)

Scott R. Hansen, Esq.
OPPENHEIMER WOLFF & DONNELLY LLP
2029 Century Park East, 38th Floor
Los Angeles, California 90067
Telephone (310) 788-5000
Fax (310) 277-1297

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statement may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Date: 6/7, 2000

Kent Webster CFO
By: Kent Webster
Title: CFO
Royce Medical Company
742 Pancho Road
Camarillo, California 93012

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PATENT
Docket No. 480032-307

Applicants: Royce Medical Company
Filed: January 6, 1995
Patent No.: 5,761,834
Title: FOOTGEAR WITH PRESSURE
RELIEF ZONES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents and Trademarks
Washington, D.C. 20231

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R 1.9(f) and 1.27(c)) — Small Business Concern

I declare that I am

- ☐ the owner or an officer of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern
identified below:

Name of Concern: Royce Medical Company

Address of Concern: 742 Pancho Road
Camarillo, CA 93012

I declare that the this small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under 35 U.S.C. § 41(a) and (b), in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

The rights held by the above identified small business concern are exclusive.

I declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to this invention, which is described in the specification filed with this declaration.

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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I declare that all statements made in this document of my own knowledge are true. I believe all statements made on information and belief are true. I make these statements with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing from the application.

 , 2000

Kent Webster CFO
By: Kent Webster
Title: CFO

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